

EXHIBIT B

From: DeClerck, John <john_declerck@fws.gov>
Sent: Monday, November 05, 2018 9:54 AM
To: Takahashi, Taiga (SD)
Subject: Re: [EXTERNAL] RE: Freedom of Information Act Request Status

Hi,

Just wanted to give you an update. I am still hunting this down as no one can find any info on this one.

Thanks,
John

John De Clerck
Government Information Specialist, ERM Specialist
Pacific Regions FOIA Coordinator
US Fish and Wildlife Service
911 NE 11th Avenue
Portland OR 97232
Phone (503) 231-2072, Fax (503) 231-6127

On Tue, Sep 4, 2018 at 9:43 AM, <Taiga.Takahashi@lw.com> wrote:

Dear FWS HQ FOIA Officer,

I am writing to inquire as to the status of a FOIA request I made over 2 months ago. I made two separate requests – one to the Director's office in Washington, D.C., and another to the Region 8 office in Sacramento, California.

I understand that the separate request for documents from the Region 8 office has been assigned a tracking number of FWS-2018-00968.

However, I have not received any acknowledgment or tracking number for the request directed at the Director's office in Washington, D.C. The statutory deadline to response to this request expired around July 23, or about 6 weeks ago.

Please advise on the status of this request.

Thank you.

Taiga Takahashi

LATHAM & WATKINS LLP

12670 High Bluff Drive

San Diego, CA 92130

Direct Dial: +1.858.523.3987

Fax: +1.858.523.5450

Email: taiga.takahashi@lw.com

<http://www.lw.com>

From: DeClerck, John <john_declerck@fws.gov>

Sent: Tuesday, September 04, 2018 9:37 AM

To: Takahashi, Taiga (SD) <Taiga.Takahashi@lw.com>

Subject: Re: Status Request FWS-2018-00968; Fwd: [EXTERNAL] RE: Freedom of Information Act Request Status

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To: Takahashi, Taiga (SD) <Taiga.Takahashi@lw.com>

Subject: Re: Status Request FWS-2018-00968; Fwd: [EXTERNAL] RE: Freedom of Information Act Request Status

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On Tue, Sep 4, 2018 at 9:13 AM, <Taiga.Takahashi@lw.com> wrote:

Ok, thanks – so what is this tracking number (FWS-2018-00968) for: Pacific Southwest, DC, or both?

Taiga Takahashi

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From: DeClerck, John <john_declerck@fws.gov>

Sent: Tuesday, September 04, 2018 9:09 AM

To: Takahashi, Taiga (SD) <Taiga.Takahashi@lw.com>

Subject: Re: Status Request FWS-2018-00968; Fwd: [EXTERNAL] RE: Freedom of Information Act Request Status

Hi,

HQ FWS Director is handled out of DC by FOIA staff there and most likely you will receive records from them and I cover the Pacific Southwest Region from here.

Thanks,

John

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Hi John,

Can you confirm then that your work will include the following offices:

Director-U.S. Fish and Wildlife Service, Washington, D.C.; and

Pacific Southwest Region Headquarters, Sacramento, California.

Thank you.

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Sent: Tuesday, September 04, 2018 7:41 AM

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Subject: Re: Status Request FWS-2018-00968; Fwd: [EXTERNAL] RE: Freedom of Information Act Request Status

Hi,

The request I am working on will only include FWS. If you have a separate request in with the DOI Director they will handle that side.

Thanks,

John

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On Wed, Aug 29, 2018 at 9:29 AM, <Taiga.Takahashi@lw.com> wrote:

Hi Mr. DeClerck.

Thank you for the response. I understand that this particular request (to the Director's office in Washington, D.C.) has been assigned tracking number 18-00968. Please confirm that the response to this FOIA request will include a search of and documents in the possession of FWS and Department of the Interior personnel in Washington, DC. We have submitted separate FOIA requests to Carlsbad (Request 18-00778) and Region 8/Sacramento (I have not yet received a formal acknowledgement of this request or a tracking number.

Can you please confirm that these requests will be processed separately and in the manner I have described above?

Thank you.

Taiga Takahashi

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From: DeClerck, John <john_declerck@fws.gov>
Sent: Monday, August 27, 2018 8:55 AM
To: Takahashi, Taiga (SD) <Taiga.Takahashi@lw.com>

Subject: Fwd: Status Request FWS-2018-00968; Fwd: [EXTERNAL] RE: Freedom of Information Act Request Status

Hi Mr. Takahasi,

Please see my acknowledgement regarding your FOIA request. It has taken me time to determine where the records are located.

Thanks,

John De Clerck

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From: DeClerck, John <john_declerck@fws.gov>
Date: Fri, Aug 17, 2018 at 7:32 AM

Subject: Fwd: Status Request FWS-2018-00968; Fwd: [EXTERNAL] RE: Freedom of Information Act Request Status

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Hi,

I will look into this one and get back to you.

Thanks,

John De Clerck

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From: **FOIA, FWHQ** <fwhq_foia@fws.gov>

Date: Thu, Aug 16, 2018 at 5:38 AM

Subject: Status Request FWS-2018-00968; Fwd: [EXTERNAL] RE: Freedom of Information Act Request Status

To: John DeClerck <john_declerck@fws.gov>

Please see email below.

----- Forwarded message -----

From: <Taiga.Takahashi@lw.com>

Date: Wed, Aug 15, 2018 at 5:24 PM

Subject: [EXTERNAL] RE: Freedom of Information Act Request Status

To: fwhq.foia@fws.gov

Cc: Christine.Sherer@lw.com

Good afternoon:

I am writing to inquire as to the status of this request. I have not received an acknowledgment of this request or any other notification as to the status, and it has been nearly two months since the request was made. Typically, the requirement for a response is 20 business days, which would have been around July 23.

Please let me know the status of this request. Thank you.

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Email: taiga.takahashi@lw.com

<http://www.lw.com>

From: Sherer, Christine (SD)

Sent: Friday, June 22, 2018 12:39 PM

To: fwhq.foia@fws.gov

Cc: Takahashi, Taiga (SD) <Taiga.Takahashi@lw.com>

Subject: Freedom of Information Act Request on behalf of our client Golden Door

Dear FOIA Officer/Director-US Fish and Wildlife Service – I am forwarding the attached on behalf of Taiga Takahashi.

Christine Sherer

Legal Secretary

LATHAM & WATKINS LLP

[12670 High Bluff Drive](#)

[San Diego, CA 92130](#)

Direct Dial: +1.858.523.5440

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Email: christine.sherer@lw.com

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--

United States Fish and Wildlife Service

Headquarters Freedom of Information Act Office

MS: IRTM

[5275 Leesburg Pike](#)

[Falls Church, VA 22041](#)

From: DeClerck, John <john_declerck@fws.gov>
Sent: Tuesday, September 04, 2018 9:52 AM
To: Takahashi, Taiga (SD)
Subject: Re: [EXTERNAL] RE: Freedom of Information Act Request Status

Hi,

I had not seen your other FOIA toward HQ in our communications. So I am only handling the Sacramento portion and they will provide you with another FOIA tracking number outside of my number. They most likely were confused as both requests look similar.

Thanks,
John

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Cc: Christine.Sherer@lw.com

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Email: taiga.takahashi@lw.com

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From: Sherer, Christine (SD)

Sent: Friday, June 22, 2018 12:39 PM

To: fwfq.foia@fws.gov

Cc: Takahashi, Taiga (SD) <Taiga.Takahashi@lw.com>

Subject: Freedom of Information Act Request on behalf of our client Golden Door

Dear FOIA Officer/Director-US Fish and Wildlife Service – I am forwarding the attached on behalf of Taiga Takahashi.

Christine Sherer

Legal Secretary

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[San Diego, CA 92130](#)

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Email: christine.sherer@lw.com

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--

United States Fish and Wildlife Service

Headquarters Freedom of Information Act Office

MS: IRTM

[5275 Leesburg Pike](#)

[Falls Church, VA 22041](#)

From: Sherer, Christine (SD)
Sent: Friday, June 29, 2018 11:21 AM
To: Takahashi, Taiga (SD)
Subject: FW: New Request; Fwd: [EXTERNAL] Freedom of Information Act Request on behalf of our client Golden Door
Attachments: 2018-06-22 FOIA Request FWSR8.pdf

From: sheri_s_williams@fws.gov <sheri_s_williams@fws.gov> **On Behalf Of** FOIA, FWHQ
Sent: Friday, June 29, 2018 7:19 AM
To: Sherer, Christine (SD) <Christine.Sherer@LW.com>
Cc: John DeClerck <john_declerck@fws.gov>
Subject: New Request; Fwd: [EXTERNAL] Freedom of Information Act Request on behalf of our client Golden Door

Dear Christine Sherer,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated June 22, 2018. We have forwarded your request to our Region 8 Office for processing. You will receive a formal acknowledgement shortly.

If you have any questions regarding your FOIA request; please contact John Declerck at john_declerck@fws.gov or 503-231-2072.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
5275 Leesburg Pike
Falls Church, VA 22041

----- Forwarded message -----

From: <Christine.Sherer@lw.com>
Date: Fri, Jun 22, 2018 at 3:31 PM
Subject: [EXTERNAL] Freedom of Information Act Request on behalf of our client Golden Door
To: fwhq_foia@fws.gov
Cc: Taiga.Takahashi@lw.com

I am attaching correspondence from Taiga Takahashi addressed to you. A hard copy will be sent via US mail.

Christine Sherer

Legal Secretary

LATHAM & WATKINS LLP

12670 High Bluff Drive

San Diego, CA 92130

Direct Dial: +1.858.523.5440

Fax: +1.858.523.5450

Email: christine.sherer@lw.com

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--

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
5275 Leesburg Pike
Falls Church, VA 22041



United States Department of the Interior



FISH AND WILDLIFE SERVICE

911 NE 11th Avenue
Portland, Oregon 97232-4181

In Reply Refer to:
ABA-CGS-FOIA
FWS-2018-00968

August 27, 2018

Sent by Email

Taiga Takahashi
LATHAM & WATKINS LLP
12670 High Bluff Drive
San Diego, California 92130

Dear Mr. Taiga:

This letter acknowledges your Freedom of Information Act (FOIA) request dated June 22, 2018, regarding the following:

I hereby request the following federal records dated from January 1, 2016 to the present related to the Newland Project located in:

- Any and all communications between U.S. Fish and Wildlife (“FWS”) and/or Department of the Interior (“DOI”) employees and Newland Real Estate Group, LLC, Rita Brandin, including phone records, meeting requests, meeting notes, calendars, letters, text messages, voicemails and emails from any known email address, including but not limited to rbrandin@newlandco.com or @newlandco.com.
- Any and all communications between FWS and/or DOI employees and the Building Industry Association, James Whalen or Jim Whalen, including phone records, meeting requests, meeting notes, calendars, letters, text messages, voicemails and emails from any known email address, including but not limited to jwhalen@jwhalen.net.
- Any and all communications between FWS and/or DOI employees and any member of the House of Representatives or his/her staff, including phone records, meeting requests, meeting notes, calendars, letters, text messages, voicemails and emails from any known email address, including but not limited to Robert.Rische@mail.house.gov or @mail.house.gov.

Your FOIA request was received on June 23, 2018 and was placed in the Department of the Interior (DOI) FOIA Tracking System under reference number FWS-2018-00968. Please refer to this number in your communications regarding your request.

We sent your request to the Carlsbad office and was told you had a conversation with that office. It was determined after that call that they would not be processing your request. It has taken us some time to determine where the records are contained.

If you have any questions on your FOIA request, please contact me at john_declerck@fws.gov or by telephone at 503-231-2072.

Sincerely,

JOHN
DECLERCK



Digitally signed by JOHN
DECLERCK
Date: 2018.08.27 08:52:45
-07'00'

John De Clerck
U.S. Fish and Wildlife Service
Pacific Regions FOIA Coordinator
Region 1 and Region 8